

**BOROUGH OF MIDDLESEX  
REGULAR MEETING MINUTES  
MARCH 10, 2015**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ronald Dobies
Council President	Sean Kaplan (Absent)
	Kevin Dotey
	Stephen Greco
	John Madden
	Bob Schueler
	Jack Mikolajczyk
Attorney:	Jerome Solomon

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**PROCLAMATIONS-NONE**

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**APPOINTMENTS-NONE**

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**PRESENTATIONS - NONE**

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**PUBLIC HEARING - NONE**

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**NEW BUSINESS**

The Borough Clerk read Ordinance No. 1871-15 by title for introduction.

**ORDINANCE NO. 1871-15**

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX,  
AMENDING THE REDEVELOPMENT PLAN FOR THE LINCOLN BOULEVARD  
REDEVELOPMENT AREA TO ALLOW FOR CERTAIN PROPERTIES NOT UNDER**

## **COMMON OWNERSHIP LOCATED WITHIN THE FOCUS AREAS TO OPT OUT OF THE REDEVELOPMENT PLAN**

**WHEREAS**, the Borough of Middlesex, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., adopted Ordinance No. 1723-07 titled an “Ordinance of the Borough of Middlesex, in the County of Middlesex, Adopting the Redevelopment Plan for the Lincoln Boulevard Rehabilitation Area”; and

**WHEREAS**, on December 10, 2014, the Planning Board of the Borough of Middlesex, recommended that the Mayor and Council consider modifying the current Rehabilitation Plan to provide greater certainty regarding the redevelopment process of the focus areas along Lincoln Boulevard; and

**WHEREAS**, the Borough Council is of the opinion that it is in the best interest of the residents of the Borough of Middlesex that the Redevelopment Plan should be amended to allow properties owners unable to develop their property in accordance with the Redevelopment Plan because of the requirement to consolidate parcels under separate ownership into one parcel with common ownership to opt out of the Redevelopment Plan.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, as follows:

1. The Governing Body does hereby amend Section 5.4 Focus Area Illustrative Plans to add “This Plan recognizes the need to consolidate several lots to create one larger parcel of land to implement several of the Focus Area plans. As a result, the development options for several properties within the Focus Areas are limited to the land use, layout and design requirements of the Lincoln Boulevard Redevelopment Plan. For this reason, without the assemblage of land consistent with Focus Area plans identified in this section, individual property owners may be severely limited in their development options. For this reason, this Plan allows for the development of such parcels in accordance with the zoning designations that existed immediately prior to the creation of the Focus Areas when it can be determined that a plan incompatibility exists (See Definition of Plan Incompatibility in Section 6.0). A determination that a plan incompatibility exists may be made prior to submittal of a plan for development.”
2. The Governing Body does hereby amend Section 6.0 Definitions, to add “Plan Incompatibility – means an administrative determination by the Zoning Officer of a land use conflict arising from the inability of a property owner to develop their property in accordance with the Redevelopment Plan because of the requirement to consolidate parcels under separate ownership into one (1) parcel with common ownership prior to developing property in accordance with the Focus Area plan.”
3. The Governing Body does hereby amend Section 8.1 General Requirements to add “3. Where Plan Incompatibility as defined in Section 6.0 exists, the zone designation that existed immediately prior to the creation of the Focus Area zoning districts may be utilized.”

4. The Governing Body does hereby amend Section 13.4 Amendment to the Lincoln Boulevard Redevelopment Plan to add "In order to amend this Plan, with the exception of a Plan Incompatibility determination, a proposed revision or new Focus Area must first be presented to the Planning Board which will review the amendment and make recommendations to the Borough Council. The Borough Council must then formally pass an ordinance to amend this Redevelopment Plan."
5. The Governing Body does hereby amend Section 15.5 Planning Board Review to add "9. The Zoning Officer shall submit all Plan Incompatibility administrative determinations to the Planning Board to confirm or reverse the Zoning Officer's decision."
6. This Ordinance shall take effect upon final passage, approval and publication according to law.

Councilman Greco moved for introduction seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

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#### **ADOPTION OF MINUTES**

Councilman Dotey moved to approve the February 10, 2015 and February 24, 2015 Regular Meeting Minutes and Executive Session Meeting Minutes seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.

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#### **REPORTS – STANDING COMMITTEES:**

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Council President Kaplan was absent
2. Recreation/Recreation Fields/Water & Light
  - A. Councilman Greco stated that at the Recreation Commission meeting last night an amazing group of young ladies were the recipients of the Recreation Department February 2015 Volunteer Award for their participation in the "Buddy Ball" program. This program was created to allow children with challenges a chance to participate in sports. These young ladies along with the adult coaches created a cheer program for the participants consisting of many nights of practice and ultimately teaching the participants a cheer routine. The Students Buddy Ball coaches include: Lia Chacon, Kate Heulit, Megan Brower, Haley Resch, Avery Reddick, and Alyssa Rodriguez. The Buddy Ball adult Cheer coaches include: Lisa Lissy, Barbara Sibree-Rodriguez, and Kim Reddick.
  - B. The Annual Easter Egg Hunt is set for Saturday, 3/28/15 at 3PM sharp at Mountain View Park. The rain weather date is Sunday, 3/29/15.

3. Fire/OEM/Board of Health/Rescue Squad/Flood – Nothing to report
4. Public Works/Parks/Sanitation/Recycling
  - A. Councilman Schueler stated that in speaking with the DPW Supervisor after storms and the plowing we are moving forward to fix pot holes and other road issues. Over last two days we have used 4.5 tons of cold patch. We are still in good shape if we have another storm.
  - B. Councilman Schueler stated in regard to sign compliance, we have completed the printing and mounting and the last section needs to be installed in the Fairview Ave. area
  - C. Councilman Schueler indicated in regard to the “No left turn” issue in front of Mauger, are we waiting on any approval from the state and then we will make signs and get them installed. Councilman Mikolajczyk requested that the Clerk inform the Superintendent of Schools and Business Administrator regarding the status of the “No left turn” signage in front of Mauger School.
  - D. The final overtime for DPW for storms from the beginning of the year is \$42,093.
5. Police/Legal/Code Enforcement/Construction/Municipal Court
  - A. Councilman Madden reviewed the 2014 Annual Police Report and indicated that the Police Department is now up to 29 sworn police officers.
  - B. Councilman Madden moved the approval of the 2014 Annual Police Report seconded by Councilman Mikolajczyk and carried by a unanimous vote of Council.
6. Administration/Department of Senior Services/Legislation/Licensing
  - A. Councilman Mikolajczyk attended the March 9, 2015 Board of Education Meeting and reported that the violence reported at the schools was fairly low, with 5 incidents at Mauger and 4 incidents at the High School.
  - B. The Superintendent of Schools reported on the QSAC Review and Dr. Madison feels that the Borough did very well.
  - C. Councilman Mikolajczyk stated that a PARCC Update was done by the Superintendent and there have been no issues. The testing is now taking place in the lower grades.
  - D. The Middlesex County HUD Meeting is scheduled for March 21, 2015 and the Committee will meet again after that date.

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## **REPORTS**

### Mayor

1. The council will be holding an interview on Thursday evening at 7 PM for Borough Administrator and also meet to interview 3 more candidates on Saturday morning at 9 AM.

2. Mayor Dobies indicated that we are now receiving resumes for Tax Assessor.
3. Mayor Dobies mentioned that we are awaiting interviews for the Administrator position to see if they would cover the CFO position.
4. Mayor Dobies will provide copies of the 2015 Budget to everyone midweek.

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The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

**Consent Agenda 2014(F)**

**WHEREAS**, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

**WHEREAS**, the Mayor and Council of the Borough of Middlesex wishes to remove Resolution #85-15 and #86-15 from this Consent Agenda.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #80-15 – Resolution #84-15  
Resolution #87-15

Councilman Dotey made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

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The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #80-15**

**WHEREAS**, Police Officer Scott Christofides is eligible for advancement in grade pursuant to Article XV of the Police Department Ordinance; and

**WHEREAS**, On February 27, 2015 Chief Young recommended Police Officer Scott Christofides be advanced in grade.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Police Officer Scott Christofides be and is hereby advanced in grade to Patrolman Class "F" effective March 12, 2015 at an annual salary \$57,841.

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The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #81-15**

**WHEREAS**, Police Officer Paul Steffanelli is eligible for advancement in grade pursuant to Article XV of the Police Department Ordinance; and

**WHEREAS**, On February 27, 2015 Chief Young recommended Police Officer Paul Steffanelli be advanced in grade.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Police Officer Paul Steffanelli be and is hereby advanced in grade to Patrolman Class "F" effective March 12, 2015 at an annual salary \$57,841.

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The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #82-15**

BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, New Jersey that the disbursing officers be and are hereby authorized to refund escrow monies to close the following escrow account:

BLOCK/LOT	NAME	AMOUNT	ACCOUNT #
290/1	National Dust Control 200 Blackford Ave	\$ 4,555.92	680056132

including interest to date of refund.

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The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #83-15**

**JANITORIAL / CLEANING SERVICES**

**WHEREAS**, the Borough of Middlesex received a proposal from, First Community Development Corporation of New Jersey for a one year period beginning May 15, 2015 and ending May 14, 2016 at the following cost, \$22,118.53; and

**WHEREAS**, in accordance with NJSA 40A:11-1 et seq "Local Public Contract Law" any contract that exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids or bidding therefore and shall be awarded by resolution of the governing body if the work is performed by persons employed by a sheltered workshop; and

**WHEREAS**, the proposal was reviewed and approved by the Purchasing Agent; and

**WHEREAS**, after review of the agreement it was determined that First Community Development Corporation is qualified to perform the services based upon the following:

1. First Community Development Corporation has been issued a "Sheltered Workshop Certificate" by the State of New Jersey, Department of Labor; and
2. First Community Development Corporation is performing similar work throughout the State of New Jersey in many communities; and
3. The proposed cost for providing these services were reviewed by the Purchasing Agent and will remain unchanged throughout the duration of the contract; and
4. Entering into this agreement will ensure uninterrupted services are provided; and
5. First Community Development Corporation has experience with other municipalities; and
6. The Purchasing Agent has examined the proposal and determined that it is slightly lower than what could have been obtained under the bidding process.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Middlesex, in the County of Middlesex, State of New Jersey, hereby accepts the recommendation of the Purchasing Agent and hereby authorizes execution of the aforementioned agreement with First Community Development Corporation for the duration and rates indicated herein.

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The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #84-15**

**WHEREAS**, the residents of Delaware Avenue Road have requested to have a block party on Delaware Avenue between Melrose Avenue and Greene Avenue on May 23, 2015 between the hours of 11 a.m. and 11 p.m.; and

**WHEREAS**, all the designated officials have given approval for this block party.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex, County of Middlesex and State of New Jersey as follows:

1. The Governing Body hereby grants approval to the residents of Delaware Avenue to conduct a block party on Delaware Avenue between Melrose Avenue and Greene Avenue on May 23, 2015 between the hours of 11 a.m. and 11 p.m.

2. This resolution shall take effect immediately.

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The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #87-15**

Authorizing the Mayor and Borough Clerk to execute the PBA Local 181 contract effective January 1, 2015 – December 31, 2017.

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The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #85-15**

The Governing Body hereby authorizes the Mayor to execute the Affiliation Agreement with Lincoln Technical Institute to participate in the Business/IT Division, Computer & Network Support Technician Internship Program.

Councilman Dotey made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

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The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #86-15**

**RESOLUTION SUPPORTING THE MIDDLESEX COUNTY BRIDGE 2-B-160, BAEKELAND AVENUE BRIDGE OVER AMBROSE BROOK FOR THE PROJECT AND THE MAINTENANCE OF THE TRAFFIC PLAN**

**WHEREAS**, the Borough of Middlesex desires to have certain road and bridge improvements made to the Baekeland Avenue Bridge over Ambrose Brook (County Bridge 2-B-160); and

**WHEREAS**, the County of Middlesex has expressed an interest in engineering and constructing certain road and bridge improvements on Baekeland Avenue; and



**WHEREAS**, the Borough of Middlesex has determined that the Baekeland Avenue Bridge over Ambrose Brook (County Bridge 2-B-160) is in need of improvements for the safety, convenience and well-being of the citizens of the Borough of Middlesex; and

**WHEREAS** the County of Middlesex has expressed that it shall incur and bear all costs and expenses associated with such improvements;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex, County of Middlesex and State of New Jersey that:

1. The Borough of Middlesex shall execute all necessary Deeds, Easements and/or Right of Ways, consistent with the attached plans for such improvements.
2. The Borough of Middlesex shall enter into an Agreement with the County of Middlesex consistent with the attached plans and this Resolution.
3. This Resolution shall take effect immediately.

Councilman Dotey made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

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The Borough Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

#### **Resolution #88-15**

THE DISBURSING OFFICERS BE AND THEY ARE HEREBY AUTHORIZED TO PAY THE ATTACHED CLAIM LIST AS PRESENTED, IF FOUND CORRECT, AND APPROVED BY THE FINANCE COMMITTEE. EXCLUDED VOUCHERS MAY BE PAID UPON BEING FOUND ACCEPTABLE.

Councilman Dotey made a motion for approval seconded by Councilman Madden and carried by the following roll call vote: Ayes: Dotey, Greco, Madden, Mikolajczyk and Schueler. No: None. Abstain: None.

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#### **DISCUSSION ON AGENDA WORKSHOP ITEMS**

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#### **PUBLIC COMMENTS**

Mayor Dobies opened the Public Portion of the meeting for any comments.

Richard Malt, 309 D Street (1) Thanked the council for getting the light in the front of the firehouse fixed; (2) Discussed the sewer ordinance and if it was going to be amended

retroactive to the beginning of January; (3) Concern that the ordinance is unfair to the businesses, as once they go over 160,000 gallons of water per year they get charged back to zero gallons and the residents get charged from 160,001 if they go over this annual amount; (4) Concerned that the average family uses 35,000 gallons of water per quarter, and that there is a water shortage; and (5) Commented that the towing in town which he addressed at the last meeting has gotten much better.

John Ellery, 701 Lincoln Boulevard stated that: (1) This sewer fee matter needs to be resolved because every other town charges a sewer user fee and it is phasing businesses out of the town; (2) Business owners are questioning Mr. Ellery about the refund that they received because they did not receive a cover letter with an explanation; and (3) Businesses are now calling him because there is a 300% increase in their bills by using the classifications from the 2013 sewer ordinance.

Mayor Dobies indicated that we have to collect the taxes and the only ordinance on record is the one from 2013, which was amended last year. Mayor Dobies stated that he is not in favor of increasing the water levels for residents in town. He also does not know if there is support to change the 2013 sewer ordinance. At this time the Mayor is planning to follow the 2013 ordinance, but a meeting to discuss this with the new council will be held. At this time the Mayor is working with the Committee which includes Councilmen Kaplan, Greco and Schueler.

Seeing that there was no further public participation, Mayor Dobies closed the public portion of the meeting.

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### **ADJOURNMENT**

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Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Madden and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC  
Borough Clerk